

LAW & MOTION, CIVIL CALENDAR

RULINGS

TIME: 9:00

DATE: MARCH 8, 1996

DEPT: 1

JUDGE: GARY W. THOMAS

REPORTER: J. KNETZGER

CLERK: L. MORRIS

CASE NO: 157680

TITLE OF ACTION: CHURCH OF SCIENTOLOGY V. ARMSTRONG

CS
RJN

PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT ON THE CROSS-COMPLAINT IS GRANTED. AS PREVIOUSLY RULED BY THE COURT, PLAINTIFF'S EVIDENCE SHOWS THAT THIS COURT HAS DETERMINED THE ENFORCEABILITY OF PARAGRAPHS 7D, 7E, 7G, 7H, 10, AND 18D. (SEE FACT 2 AND EXS. RJN C-E.) FURTHER, DEFENDANT DOES NOT DISPUTE THAT "[P]ARAGRAPHS 4A AND 4B CONCERN AN APPEAL WHICH HAS ALREADY BECOME FINAL, AND AS TO WHICH NO RIGHTS, DUTIES OR OBLIGATIONS COULD BE ENFORCED IN THE FUTURE." (SEE UNDISPUTED FACT 3.) WITH RESPECT TO PARAGRAPHS 7I AND 18E, THE UNDISPUTED EVIDENCE SHOWS THAT THERE IS NO PRESENT OR PROBABLE FUTURE CONTROVERSY INVOLVING THOSE PARAGRAPHS. (SEE UNDISPUTED FACTS 5-7.) THUS, THERE IS NO BASIS REMAINING FOR DEFENDANT'S DECLARATORY RELIEF CAUSE OF ACTION.

*Matter is argued. Tentative ruling becomes final.
Status Conference of 3/11/96 is vacated.*